

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALYSHA MARIE JONES,

Defendant.

CASE NO. CR20-0092-JCC-11

ORDER

This matter comes before the Court on Defendant's motion for a reduction in sentence (Dkt. No. 1174). Having considered the briefing and the relevant record, the Court DENIES the motion for the reasons explained herein.

Defendant was sentenced to a custodial term of 90 months for conspiracy to distribute controlled substances. (*See* Dkt. Nos. 378, 1074.) Defendant now asks for a reduction of that sentence pursuant to Amendment 821 to the United States Sentencing Guidelines ("USSG"). (*See* Dkt. No. 1174.) The request is based on the Sentencing Commission's change to the calculation and application of status points to an offender's criminal history category. (*Id.* at 2.)¹

To qualify for a sentence reduction, amongst other requirements, the reduction must be consistent with the Sentencing Commission's applicable policy statements. 18 U.S.C.

¹ The amendment reduced or eliminated status points in certain instances. *See* USSG Amendment 821, Part A.

1 § 3582(c)(2); *see United States v. Waters*, 771 F.3d 679, 680 (9th Cir. 2014) (per curiam). And
2 according to the current version of section 1B1.10(a)(2)(B), a sentencing court is not authorized
3 to reduce a defendant's sentence when a retroactive amendment does not result in a lower
4 applicable sentencing range.

5 Here, Defendant's sentencing range is not altered by Amendment 821. This is because
6 her criminal history remains at Category III, and thus her guideline sentence remains the same:
7 262–327 months. USSG Ch. 5 Pt. A Sentencing Table (offense level 37 at Category III); *see* 18
8 U.S.C. § 3582(c)(2). Additionally, Defendant fails to qualify as a zero-point offender because
9 she received criminal history points from Category Four, Part A. (*See* Dkt. No. 1052 at 10–12.)
10 Accordingly, Defendant's motion for a reduction of her sentence (Dkt. No. 1174) is DENIED.

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12 DATED this 20th day of June 2024.

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A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE